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EXPRESS ABANDONMENT UNDER 37 CFR 1.138 Send completed form to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	10/609,095
	Filing Date	June 27, 2003
	First Named Inventor	Eric D. Schwartz
	Art Unit	2876
	Examiner Name	Jamara Albaida Frankin
	Attorney Docket Number	283-245.02 Con 3

Please check only one of boxes 1 or 2 below:

(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. ☐ **Express Abandonment**

I request that the above-identified application be expressly abandoned as of the filing date of this paper.

2. ☒ **Express Abandonment in Favor of a Continuing Application**

I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith. This abandonment is without prejudice and will not be construed as a waiver of the right to pursue the subject matter of the claims in a related application. The abandonment will not be taken as an admission that the subject matter of the claims is not patentable. Claims of the present application are being copied concurrently herewith into U. S. Patent Application No. 10/861,329 (Attorney Docket No. 283-245.11).

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

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I am the: ☐ applicant.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 37,283

☐ attorney or agent acting under 37 CFR 1.34(a) (may act under 37 CFR 1.34(a) only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR 1.34(a).

(Attorney or agent registration number)

George S. Blasiak

Signature

George S. Blasiak

Typed or printed name

March 4, 2005

Date

315-425-9000

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty. Docket No. 283-245.02 Con 3

PTO FAX NO.: 703-305-8568

ATTENTION: Express Abandonment Division

Group Art Unit: 2876

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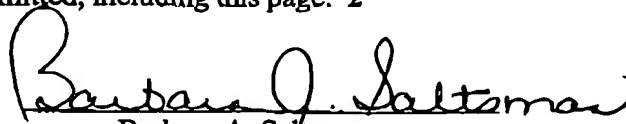
I hereby certify that the following document(s) in re Application of Eric D. Schwartz, et al., Application No. 10/609,095, filed June 27, 2003 for Adjustable Illumination System For A Barcode Scanner is being facsimile transmitted to the U. S. Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Express Abandonment Under 37 CFR 1.138 (1 pg.)

Number of pages being transmitted, including this page: 2

Dated: March 4, 2005


Barbara A. Saltsman

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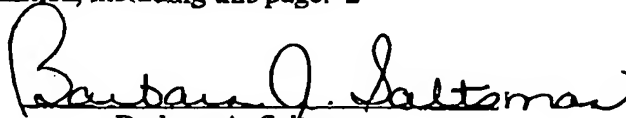
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